“Situation in Sudan”

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1. **Introduction and Historical Background to the North-South Conflict**

I would like to thank Ms Chrissie Seto and her colleagues at the United Nations Association of the United States of America’s (UNA-USA), Education Department, for organizing this Conference, and for inviting me to share my views with your students, on this very important and timely topic- “The Situation in Sudan”.

Before the Turko-Egyptian invasion of 1821, the Sudan consisted of Kingdoms and tribal communities without modern forms of government as we have today. In other words, Sudan in its present boundaries did not exist. The Turko-Egyptian occupation of 1821 was promoted by the expansionist ambitions of the Ottoman Empire and its craving for wealth and markets. The main commodities of interest were slaves, gold, ivory and timber. South Sudan and her people became the main source of acquiring these commodities. The Turko - Egyptian and the North Sudanese collaborated in their raids against the South Sudan for slaves resulting in millions of South Sudanese people being taken into slavery largely in the Arab World.

In 1898 the Sudan was re-conquered by a joint British and Egyptian forces resulting in the signing of the Condominium Agreement between the British and the Egyptian to administer the Sudan in its present boundaries. Owing to the geographical, political, historical and cultural differences between North and South Sudan, the British devised a system of a separate administration for the two countries. In an effort to prepare the North Sudan for self-rule, the North Sudan Advisory Council Ordinance was enacted in 1943. The ordinance covered all the six North Sudan provinces: comprising of Khartoum, Kordofan, Darfur, Eastern, Northern and Blue Nile provinces. This Council was empowered to advise the condominium authority on how to administer North Sudan in certain specific areas. Members of the Advisory Council were all North Sudanese. The ordinance had no application or relevance to the territory of South Sudan. Thus far, North and South Sudan were regarded as two separate countries colonized by the British and Egyptians.
Instead of establishing an Advisory Council for South Sudan similar to that of North Sudan, the resolutions of the Administrative Conference held in Khartoum in 1946 surprisingly advocated the colonization of South by North Sudan. This was decided without consultations with the people of South Sudan. Rather, it was a deliberate policy between the British and the North Sudanese, supported by Egypt, to hand over South Sudan to North Sudan as a colonial territory.

The betrayal of South Sudan by the British was finally concluded in the infamous Juba Conference of 1947. The conference was convened to inform the chiefs of South Sudan of the irreversible decision to hand over South Sudan to the new colonial masters from North Sudan. This questionable decision was crowned by the promulgation and establishment of the Sudan Legislative Assembly in 1948. Thirteen (13) delegates from South Sudan were handpicked and forced to represent South Sudan in the Assembly. The Cairo Agreement of 1953 was no exception to the rule. Once again, the colonial masters from Britain and North Sudan masquerading as representatives of national political parties, with tacit support of the Egyptian government, conspired to grant self-government to the Sudan without the participation of South Sudan.

The people of South Sudan were deliberately excluded on the pretext that they had no political parties or organizations. Hence, the people of South Sudan regard themselves as 'internally colonized people'. Furthermore, independence for Sudan meant nothing for South Sudan but a change of masters as the North Sudanese took over the colonial state. The North Sudanese elites failed to evolve policies that would have consolidated national unity and stability. As a result, the Sudan has been plunged into continuous state of political, constitutional, economic and military crisis till today. Various governments and regimes in Khartoum waged war and denied the South Sudanese equality, social justice, freedom and effective participation in the running of the State.

2. The Background to the Conflict in Western Sudan (Darfur)

The majority of the populations of Darfur are indigenous Africans who are mostly sedentary, small-holding farmers. A few of them are partly pastoralists, such as the
Zaghawa and the Midob of northern Darfur. The principal ethnic group is that of the Fur. They are concentrated in Jebel Marra and its foreland. Two of the opposition groups involved in the current conflict belongs to the Fur ethnic group: the Sudan Liberation Movement/Army (SLM/A) and the Sudan Federal Alliance (SFA).

Another ethnic group involved in the conflict is that of the Zaghawa. They form the following two groups: the Justice and Equality Movement (JEM) and the Sudan Union of the Marginalized Majority (SUMM).

About half of the Zaghawa land lies in Chad, the other half in Sudan. During the drought disasters of 1972-1973 and 1984-1985, large numbers of Zaghawa migrated southward and settled not only in rural areas, but also in the major towns such as El-Fasher, Nyala and Omdurman. Today the Zaghawa living in any of these towns outnumber those living in Dar Zaghawa itself. The diaspora Zaghawa have learnt to be successful traders. They control the markets of all towns in Darfur today and compete with the Ja'ali traders in Omdurman. A great part of their capital was earned not in the Sudan, but in the oil-rich Arab countries. Settling outside their home areas forced the Zaghawa to struggle for their recognition as citizens. This is quite evident in Ed'Daein in southern Darfur, whose Rezeigat Arabs frequently attack the Zaghawa, burn their houses and kill them.

The third indigenous African group, one which also lives in conflict with the Arab groups, is the Masalit. About half of them live in Chad. Unlike the Zaghawa, they are poor today and stick to their home area. However, they have been longer than the Zaghawa the target of ethnic cleansing, since they opposed the present regime of Khartoum. Not all Arab tribes are equally aggressive against the African ethnic groups. For instance the Beni Hussein and the Zeiyadiya of Northern Darfur have been living along with them quite peacefully. Conflicts between the strong Arab nomadic groups and the sedentary African cultivators over water and grazing resources were not seldom in the past. But they were resolved by holding tribal conferences for compensating the victims. The situation began to deteriorate when in 1986, during the rule of Al-Sadiq Al-Mahdi, the government formed armed militias, especially of the Messiriya and the Rezeigat
ethnic groups, to attack the Dinka. The atrocities carried out by the Arab militias were not limited to the war areas alone, but were extended to central Darfur.

The Rezeigat committed the massacre of Ed’Daein in 1986, killing more than 1000 Dinka refugees, without being prosecuted by the government (Mahmud and Baldo, 1987). The Arab groups, mainly the Rezeigat, are provided with arms to attack the civilians. Since they perform their raids on horseback, they are called ‘janjawid’ (“the men riding on horses”) and shoot with GM 3 machine-guns. They are often accompanied by regular Sudanese armed forces. For a long time, the international community has turned a blind eye on the atrocities in Darfur, one reason being that one did not want to interrupt the peace negotiations between northern and southern Sudan.

Even after the United States Government has characterized the conflict as genocide, this has not resulted in prompt and adequate action to stop the tragic events and to fully address the humanitarian aspect of the affected population which, as of 1 January, 2005, reached a total of 2.4 million, including an estimated 1.84 million IDPs. Yet, when the Comprehensive Peace Agreement between the Government of Sudan and the Sudan People’s Liberation movement was signed on 9 January, 2005, to bring to an end Africa’s largest running war, there were great hopes and expectations that durable and solid peace would spread throughout Sudan, including in Darfur. Sadly, this has not happened.

Despite the recognition that the killings and crimes committed in Darfur could only be stopped by the intervention of a strong third party force, only the African Union has stepped up to try to provide such a force. Some critics have questioned whether the mandate authorized force level of 3,000 and African Union observers or monitors are adequate. In any case, only about half of the authorized force level has in fact been deployed and these observers/monitors face enormous challenges of coping with the terrain, mobility, communications, equipment and other logistics supplies.
3. The United Nations Security Council and African Union Response to the Tragedy in Darfur

The Security Council has encouraged and also gave political support for the African Union to take the lead in addressing the situation in Darfur. On its part, the African Union has pursued a two-track approach: the promotion of a political settlement within the framework of the Inter-Sudanese Peace Talks in Abuja (Nigeria) and the deployment of the African Mission in Sudan (AMIS). In this regard, the African Union Summit in Abuja, Nigeria, adopted a resolution demanding the resumption of the Inter-Sudanese Peace Talks and requests the Movements to be represented thereto by their highest leaders.

The African Union leaders also condemned the gross and repeated violations of the Humanitarian Ceasefire Agreement of 8 April, 2004 and the Abuja Protocols of 9 November, 2004. They further condemned the continued attacks against innocent civilians, as well as against humanitarian workers. In fact, the Sudanese Government was not spared by the African leaders in the call to stop the bombings of civilian populations. The AU Summit also established a High-level Committee to work with President Obasanjo (Nigeria), Chairman of the African Union, to help push the peace process in Darfur. The Committee consists of Gabon, Egypt, Libya, Chad and Nigeria.

Finally, the African leaders endorsed the decision made earlier by the Peace and Security Council demanding that the parties fully implement the decisions of the 6 Meeting of the Joint Commission held in N’djamena, Chad, on 3-4 January, 2005. And in this regard, the Government of the Sudan was urged immediately to withdraw its forces to the positions they held before the military offensive launched on 8 December 2004 in order to create conditions conducive to the resumption of the political negotiations, disarm the Janjaweed/Armed militias and inform AMIS of the concrete steps taken in this regard. In this respect, the Peace and Security Council welcome the pledge by the Government of Sudan to withdraw its forces to their pre-8 December position. In addition, the movements should immediately communicate to the Chairman of the Ceasefire
Commission the locations of their forces and put an end to attacks against commercial activities and government infrastructures, including police stations.

In concrete terms, the African Union has deployed almost fifteen hundred Monitors/observers to Darfur. And the reports coming in testify to the professionalism of the African Monitors/observers. Indeed, in the places where they have been stationed, there have been fewer reports of human rights abuses. The logic of this situation is that the rest of the force authorized by the AU should rapidly be deployed and that the number of such Monitors should be substantially increased. In this regard, the African Union has decided to increase the force level to 7,000. Unfortunately, the African Union lacks the capacity for rapid airlifting and meeting the other logistic needs of observers and the financial resources to maintain them in Darfur, although the Union has formally requested for such assistance from NATO and the European Union. Meanwhile, the deaths and sufferings continue.

Hence pressure is mounting on the United Nations Security Council to assume its responsibilities. On this, Article 24 of the UN charter is very clear: the Security Council has the primary responsibility for the maintenance of international peace and security. It did not exempt Africa or any other region from the responsibility of the Security Council in the area of international peace and security. In reality, of course, the Security Council has shown in greater readdress to assume its responsibility for the maintenance of international peace and security, when the Africans have put boots on the ground in places like Burundi, Cote d’Ivoire, Sierra Leone, Liberia and Darfur, trying to keep the peace, saving lives and enhancing their peoples desires for peace. A further, and more sobering, reality is that these efforts on the part of the Africans to end wars and conflicts are not sufficient to keep the pace as was demonstrated sadly in these conflicts and now very glaringly in Darfur. In response to growing pressure on the Security Council to act, consideration is being given to a draft resolution which should lead to more concrete measures to address the crises in Darfur, including possible deployment of a more robust peace operation with UN and AU collaboration in one form or another.
4. **Urgent Next Steps**

The international community should ensure that the African Union Mission in Sudan is expanded both in numbers and in mandate. The international community and neighboring countries must also press the Government of Sudan to admit an AU peacekeeping force with a mandate to protect civilians. Furthermore, the international community must continue to support the AU mission with technical assistance, good communications, logistics and financial support in addition to maintaining consistent and sustained political engagement to bring peace to Sudan and working with the UN, AU, Government of Sudan and rebel groups to investigate, exposes and ultimately to prevent any violations of international humanitarian law that lead to attacks on civilians or restrictions on delivery of humanitarian assistance.

The Permanent members of the Security Council and other stakeholders should ensure that the conditions laid down in UNSC Resolution 1556\(^1\) are adhered to, and not watered down. Further measures should be articulated that would be imposed in the event of non-compliance by any of the warring parties, such as a full UN arms embargo. Moreover, the international community must maintain pressure for the political dialogue for Darfur to achieve tangible results. It is important to address the root causes of the conflict –

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\(^1\) The UNSC Resolutions calls for:

- The Government of Sudan to fulfill its commitment to disarm the Janjaweed militias and bring their leaders to justice, as well as other associates who carried out the human rights abuses;
  - Carry out a moratorium on all restrictions that may hinder access for humanitarian assistance
  - Resume talks with the dissident groups from the Darfur region
  - The Secretary General to report in 30 days on progress made by the Government of Sudan, and expressed intention to consider “further actions, including measures as provided for in Article 41 if the Charter of the United Nations”.

- Member States to reinforce the international monitoring team led by the African Union.
- The Secretary General to support the African Union with planning and assessments for its mission in Darfur.
- All states to prevent the sale of arms to non-government entities in Darfur.
including poor governance, economic marginalization, ecological changes, land rights, the breakdown of conflict-resolution mechanisms, and the arms flows into the region. In addition, donors should consult with civil society groups for post conflict peace building. These groups should include religious communities, women’s groups and traditional leaders. The conflict in Darfur must be seen in the context of the country as a whole; it is important that the international focus on Darfur does not allow the momentum of the Naivasha talks to fail or the existing agreements to unravel.

5. Conclusion

Since the independence of Sudan, the North - South relations until now has been characterized by political marginalization of the South through under representation, discrimination, and other manifestations of the politics of exclusion. In addition, there was a deliberate policy of retardation and neglect of socio - economic development of South Sudan with all socio-economic development projects concentrated in North Sudan. Cultural subjugation through imposition of Arabic culture and Islamic religion on the people of South Sudan was rampant in a deliberate attempt to destroy their African culture and heritage. The declaration of Sudan as an Islamic state by the present regime has relegated South Sudanese to third class citizens. The imposition of cultural and religious laws - Islamic sharia - is a negation of common citizenship which could be the basis of national unity, equality and social justice in a heterogeneous state such as the Sudan.

Moreover, the crisis of national identity in Sudan is a creation of North Sudan which defines the Sudanese identity in Arab and Islamic terms and considers the Sudanese citizenship as a transition to full integration into the Arab identity. This approach undermines the right of the vast African majority to whose identity should be fully embodied in the character of a diversified state. This inevitably has lead to the abuse of fundamental human rights of South Sudanese people through the policy of decimation of the population of South Sudan through prosecution of war and perpetrating large scale massacres of innocent people by various North regimes; indiscriminate bombing and raiding of civil population centers leading to massive displacement of people from their
homes; the denial of basic human needs and use of food as a weapon for conversion into Islamic religion; forced Islamization and Arabization of the educational system in the South with the aim to kill indigenous languages and cultures to accentuate Islamic and Arabic dominance; political executions, detentions without trials and disappearance of South Sudanese in the government controlled towns; and last but not least, the reviving of slavery and slave trade during this war. All these have sowed the seed for self-determination on the part of the oppressed peoples in the various parts of Sudan.

This is the essence of the conflict in Darfur where although the humanitarian operations have improved despite the several obstacles and limitation (due largely to lack of or poor security), the death and destruction have continued. The Africans leaders are doing their best to promote a political solution to the conflict and to provide protection and security to the affected population, but these efforts falls far short of the need. In this regard, the International Convention Against Genocide places the responsibility to act on the shoulders of the major powers. In 1994, when the Security Council failed to act to stop the genocide in Rwanda, the world said “Never Again”. This refrain sound hollow in the face of what the United States has characterized as genocide in Western Darfur. Moreover, in an increasingly globalised and post 9/11 world, a threat to one has to be regarded as a threat to all and we must recognize that peace and security have become indivisible.

I thank you for listening.